IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE TWENTY SECOND DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL NO : 38 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 29/09/2004 in WP NO : 17437 OF 2004 on the file of the High Court.)

Between:

Boina Venkaiah, s/o Ramakoteswara Rao,
Cheruvujammalapalem Gram Panchayat,

Cheruvujammalapalem,
Bapatla Mandal, Guntur District.

..... APPELLANT

AND

1 The District Panchayat Officer, Guntur, Guntur District.
2 The Divisional Panchayat Officer, Tenali, Guntur District.
3 The District Collector, Guntur, Guntur District.

.....RESPONDENTS

For the Appellant: SMT.A.CHAYA DEVI, Advocate.

For Respondent Nos.1 to 3: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following :

JUDGMENT: (per Sri B. Sudershan Reddy, J)

It is stated by the learned counsel for the appellant that pursuant to the show cause notice which has been impugned in the writ petition, the District Panchayat Officer has passed final orders on 31-01-2005 prohibiting the Sarpanch of the Cheruvujammalapalem Gram Panchayat, the appellant herein from drawing monies of the Gram Panchayat. The interim order has been accordingly confirmed. It is stated by the learned counsel for the appellant that the appellant intends to challenge the final order on various grounds including on the grounds of jurisdiction.

In view of passing of final orders by the District Panchayat Officer, the cause in this writ appeal, in our considered opinion, does not survive requiring any further adjudication. Leave is accordingly granted to the appellant to challenge the final order dated 31-01-2005, if he so intends on the grounds that may be available to him in law including the grounds raised in the writ petition, in which event the matter may have to be considered on its own merits.

The Writ Petition shall accordingly stand dismissed.

(B. Sudershan Reddy, J)

22-05-2005

(C.V. Ramulu, J)

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To

1 The District Panchayat Officer, Guntur, Guntur District.
2 The Divisional Panchayat Officer, Tenali, Guntur District.
3 The District Collector, Guntur, Guntur District.

4 Two CCs to the Government Pleader for Panchayat Raj and

and Rural Developemnt, High Court of Andhra Pradesh,

Hyderabad (OUT).

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